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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/046,468	10/19/2001	Kelly L. Dempski	10022/144	2895	
28164 7	7590 07/15/2003				
BRINKS HOFER GILSON & LIONE			EXAMI	EXAMINER	
P O BOX 10395 CHICAGO, IL 60610			ANYASO, UCHENDU O		
			ART UNIT	PAPER NUMBER	
			2675		
			DATE MAILED: 07/15/2003	a	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Seaminer	•	Application No.	I Amelia de la companya della companya della companya de la companya de la companya della compan
Office Action Summary  Examinar  Light Summary  The MAILING DATE of this communication appears on the cover sheet with the correspondence address →  Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  THE MAILING DATE OF THIS COMMUNICATION.  Edenticise of time may be available under the provisions of 37 CPR 1.13(s). In no event, however, may a reply be timely filed after 31x (9) Width'PS from the mining case of the communication.  If NO period for may is available under the provisions of 37 CPR 1.13(s). In no event, however, may a reply be timely filed after 31x (9) Width'PS from the mailing date to the communication.  If NO period for may is appointed above, the mailing date of the communication.  If NO period for may is appointed above, the mailing date of the communication, even if timely filed on the communication.  If NO period for may is appointed above, the mailing date of the communication, even if timely filed, may induce any secret pherit for may in the application of communication.  If I approve this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex partic Quaryle, 1935 C.D. 11, 453 O.G. 2.13.  Disposition of Claims  4) Claims(s) 1.15 is/are pending in the application.  4) Claims(s) 1.15 is/are allowed.  5) Claims(s) 1.15 is/are allowed.  6) Claims(s) 1.15 is/are allowed.  6) Claim	•	Application No.	Applicant(s)
Undendu O Anyaso 2675  - The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  If the posted for reply specified above is less than thirty (30) days, a reply within the statutory infinitum of thirty (30) days will be considered sinety.  If the posted for reply specified above is less than thirty (30) days, a reply within the statutory infinitum of thirty (30) days will be considered sinety.  If the posted for reply specified above is less than thirty (30) days, a reply within the statutory infinitum of thirty (30) days will be considered sinety.  If the posted for reply specified above is less than thirty (30) days, a reply with less (31) MONTES from the mediage date of this communication.  If the posted for reply specified above is less than thirty (30) days, a reply with the statutory infinitum of thirty (30) days will be considered interty.  If the posted for reply specified above is less than thirty (30) days, a reply with the statutory infinitum of thirty (30) days will be considered interty.  If the posted for reply specified above, the nearling date of this communication.  If the posted for reply specified above is the replication of the mailing date of this communication.  Status  Status  Status  Status  Status  Status  Status  Status  Status  C less this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) C leaim(s) 1-15 is/are pending in the application.  4) Of the above claim(s)	Office Action Summan		JANSZEN, DAVID
- The MALING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION.  Extensions of term may be available under the provisions of 3 CFR 1.13(a). In or event, however, may a raply be timely fixed and the state of the communication of 3 CFR 1.13(a). In or event, however, may a raply be timely fixed or the provision of 4 fixed or the provision of 4 fixed or the provision of 4 fixed or the provision of 5 CFR 1.73(a). In or event, however, may a raply be timely fixed or the provision of 5 CFR 1.73(a) days will be considered timely, and the provision of 5 CFR 1.73(a) days will be considered timely.  If No provide or exply is specified above, the maximum attatory poped vall days pack (i) (NONTH) fixer making date of this communication.  Paleuto to reply within the sector extended provide for raply with, by statuto, caused the application is communication. 23 U.S. C. § 13(3). Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1.15 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are objected to .  3) Claim(s) is/are rejected.  7) Claim(s) is/are rejected to .  3) Claim(s)	Onice Action Summary		
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THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 3 CPR 1.136(a). In or event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  It NO portions for reply is shortless to the source of the communication of communication of the communication	Period for Reply	opears on the cover sneet with	tne correspondence address
2a)  This action is FINAL. 2b)  This action is non-final.  3   Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-15 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5]  Claim(s) is/are allowed.  6]  Claim(s) is/are allowed.  6]  Claim(s) is/are objected to.  8]  Claim(s) are subject to restriction and/or election requirement.  Applicant Papers  9]  The specification is objected to by the Examiner.  10]  The drawing(s) filed on is/are: a)  accepted or b)  objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11)  The proposed drawing correction filed on is: a)  approved b)  disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12)  The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some * c)  None of:  1.  Certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a)  The translation of the foreign language provisional application has been received.  15)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  b)  Notice of Internal Application (PTO-152)	THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1 after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a refull in NO period for reply is specified above, the maximum statutory period.  - Failure to reply within the set or extended period for reply will, by statuth of the provided period for reply will, by statuth of the provided period for reply will, by statuth of the provided period for reply will, by statuth of the provided period for reply will, by statuth of the provided period for reply will, by statuth of the provided period for reply will, by statuth of the provided period for reply will by statuth or reply will be provided period for reply will be provide	. 136(a). In no event, however, may a reply ply within the statutory minimum of thirty (3 d will apply and will expire SIX (6) MONTHS tte, cause the application to become ABANI	be timely filed  0) days will be considered timely.  5 from the mailing date of this communication.  DONED (35 U.S.C. § 133)
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ○ Claim(s) 1-15 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) ○ Claim(s) is/are allowed.  6) ○ Claim(s) 1-15 is/are rejected.  7) ○ Claim(s) is/are objected to.  8) ○ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) ○ The specification is objected to by the Examiner.  10) ○ The drawing(s) filed on is/are: a) ○ accepted or b) ○ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) ○ The proposed drawing correction filed on is: a) ○ approved b) ○ disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) ○ The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) ○ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ○ All b) ○ Some * c) ○ None of:  1. ○ Certified copies of the priority documents have been received.  2. ○ Certified copies of the priority documents have been received in Application No  3. ○ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  14) ○ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 (to a provisional application).  a) ○ The translation of the foreign language provisional application has been received.  15) ○ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.  Attachment(s)  Notice of References Cited (PTO-832)  21 ○ Notice of References Cited (PTO-832)	1) Responsive to communication(s) filed on 19	October 2001 .	
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.    Disposition of Claims	2a) ☐ This action is <b>FINAL</b> . 2b) ☑ T	his action is non-final.	
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Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.  12) The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a) The translation of the foreign language provisional application has been received.  15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.  Attachment(s)  10 Notice of References Cited (PTO-892)  11 Notice of Draftsperson's Patent Drawing Review (PTO-948)  12 Notice of Informal Patent Application (PTO-152)	<u> </u>		
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#### **DETAILED ACTION**

1. Claims 1-15 are pending in this action.

## Claim Rejections - 35 USC ' 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by *Beller* (U.S. Patent 6,046,712).

Regarding **independent claims 1** and **14**, Beller teaches a method of <u>viewing</u> data and directing the view of a wearable camera within the field of view of the operator by teaching a head mounted display system that allows an operator of a remote system to see what the user of the head mounted system is viewing wherein the head mounted communication system includes a support to be worn on a user's head and a camera system that is mounted on the support to pick up an image within at least a portion of the user's field of view (see column 1, lines 12-17, 48-57, 62-66).

Furthermore, Beller teaches how to <u>detect one or more visual markers</u> by teaching how the user can realign his view to the view of the picked up image marked by the assistant by merely moving his head until the user's displayed image coincides with the real world image seen through the optics of the system (see column 2, lines 39-59; see also column 3, lines 64 through column 4, lines 5).

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Furthermore, Beller teaches how to select data from memory storage by teaching how the head mounted communication system 10 operates to transmit video and/or audio data to a remote assistant's terminal 13 in accordance with the flow chart depicted in FIG. 4 wherein at block 140, the microprocessor 90 determines whether there is a frame of compressed video data in the <u>buffer memory 86</u> to be transmitted, and if so, the microprocessor 90 proceeds to block 142 to retrieve the compressed data for a video frame (column 9, lines 21-28, figure 4 at 86, 140, 142).

Also, Beller teaches how to display data on the wearable display worn by the operator (column 4, lines 19-22, figure 3 at 14).

Regarding **claims 2** and **3**, in further discussion of claim 1, Beller teaches how the head mounted communication system includes a support to be worn on a user's head and a camera system that is mounted on the <u>support to pick up an image within</u> at least a portion of the user's field of view (see column 1, lines 62-66).

Regarding **claims 4**, in further discussion of claim 1, Beller teaches how the invention allows the user of the head mounted system to view video inputs received from the remote system so that they appear to be <u>superimposed</u> upon the real world (see Abstract; column 1, lines 12-17).

Regarding **claims 5**, in further discussion of claim 1, Beller teaches an input device that is actuable by the user to provide a user input command for selecting, for

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display on the head mounted display screen, data received from the remote system and the non-remote data sources (column 2, lines 60-67).

Regarding **claims 6**, in further discussion of claim 1, Beller teaches how the operator of the remote system can see the changing view of the user of the head mounted system in real time such that the operator can add marks or other inputs to the real time image depicted on his display so as to <u>identify</u>, for example, a particular object within the picked up image of the real world wherein these marks can then be transmitted to the head mounted system in real time (column 2, lines 16-38).

Regarding **claims 7**, in further discussion of claim 5, Beller teaches how his invention relates to a head mounted display system and more particularly to a head mounted communication system for providing interactive visual and/or <u>audio communications</u> between a user of the head mounted system and an operator of a remote system (column 1, lines 8-12).

Regarding **claims 8**, in further discussion of claim 5, Beller teaches the display 19 includes a <u>touch responsive panel</u> so that a stylus 23 can be used therewith to allow the assistant to mark the display by drawing circles, arrows, etc., that are useable to identify objects within the displayed image such that the touch panel and associated processor within the terminal 13 are responsive to contact by the stylus 23 so as to control the display 19 to cause a visual representation of the marks to be generated on

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the display as if they were drawn by the stylus 23 (column 3, lines 64 through column 4, lines 5).

Regarding **claims 9**, in further discussion of claim 5, Beller teaches a method of viewing data and directing the view of a wearable camera within the field of view of the operator by teaching a head mounted display system that allows an operator of a remote system to see what the user of the head mounted system is viewing wherein the head mounted communication system includes a support to be worn on a user's head and a camera system that is mounted on the support to pick up an image within at least a portion of the user's field of view (see column 1, lines 12-17, 48-57, 62-66).

Regarding **independent claim 10**, Beller teaches a method of <u>viewing data and</u> <u>directing the view of a wearable camera</u> within the field of view of the operator by teaching a head mounted display system that allows an operator of a remote system to see what the user of the head mounted system is viewing wherein the head mounted communication system includes a support to be worn on a user's head and a camera system that is mounted on the support to pick up an image within at least a portion of the user's field of view (see column 1, lines 12-17, 48-57, 62-66).

Furthermore, Beller teaches how to <u>detect one or more visual markers</u> by teaching how the user can realign his view to the view of the picked up image marked by the assistant by merely moving his head until the user's displayed image coincides

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with the real world image seen through the optics of the system (see column 2, lines 39-59; see also column 3, lines 64 through column 4, lines 5).

Also, Beller teaches how the operator of the remote system can see the changing view of the user of the head mounted system in real time such that the operator can add marks or other inputs to the real time image depicted on his display so as to identify, for example, a particular object within the picked up image of the real world wherein these marks can then be transmitted to the head mounted system in real time (column 2, lines 16-38).

Furthermore, Beller teaches how to select data from memory storage by teaching how the head mounted communication system 10 operates to transmit video and/or audio data to a remote assistant's terminal 13 in accordance with the flow chart depicted in FIG. 4 wherein at block 140, the microprocessor 90 determines whether there is a frame of compressed video data in the <u>buffer memory 86</u> to be transmitted, and if so, the <u>microprocessor 90</u> proceeds to block 142 to retrieve the compressed data for a video frame (column 9, lines 21-28, figure 4 at 86, 140, 142).

Also, Beller teaches to determine the location of the operator by means of data representing the marks input by the operator, which can be transmitted in association with a location determined with respect to the picked up image (column 2, lines 16-38).

Regarding **claims 11** and **12**, in further discussion of claim 10, Beller teaches how to monitor the change of location of the markers within the field of view of the head mounted display (column 2, lines 39-59).

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Regarding **claims 13**, in further discussion of claim 10, Beller teaches how the invention allows the user of the head mounted system to view video inputs received from the remote system so that they appear to be <u>superimposed</u> upon the real world (see Abstract; column 1, lines 12-17).

Regarding **claims 15**, in further discussion of claim 14, Beller teaches how the user would simultaneously view information on the display and objects within the field of view of the operator (column 4, lines 28-38).

#### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uchendu O. Anyaso whose telephone number is (703) 306-5934. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703) 305-9720.

## Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

### or faxed to:`

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Uchendu O. Anyaso

07/10/2003

DENNIS-DOON CHOW PRIMARY EXAMINER